



PATENT  
Attorney Docket No. 25708.0038

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Friedrich W. Kuehne *et al.*

Serial No.: 10/049,658

Filed: February 15, 2002

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Confirmation No. 7719

Group Art Unit:

Examiner: To be assigned

Title: **CHEMICALLY-STABILIZED CHLORITE SOLUTIONS FOR TREATING  
CANCER AND OTHER DISEASES**

Assistant Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

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**REQUEST FOR WITHDRAWAL OF ABANDONMENT**

Applicants re-submit herewith the attached Declaration and Power of Attorney executed by one of the two inventors named in the captioned application along with a Petition to Accompany Oath or Declaration When There is a Nonsigning Inventor Under 37 CFR §1.47. These documents were originally filed on November 18, 2002, along with an authorization to charge deposit account number 08-1641 for the requisite fees. Those fees were charged to the account on November 22, 2002. The charged fees included a \$130 surcharge for late filing fee or oath, \$980 for an extension in the fifth month, and \$130 for the Petition. On November 25, 2002, a Notice of Abandonment under 37 CFR 1.53 (f) or (g) was issued. Applicants submit, in light of the earlier filed Oath and Petition, that the abandonment of this application was in error and request that the abandonment be withdrawn.

The nonsigning inventor, Dr. Vitam Kodelja, has not responded to several attempts to contact him. Specifically, Dr. Kodelja has not responded to letters sent at least on May 21 and August 7, 2002, and to a courier package delivered directly to his home on September 27, 2002. A copy of the Federal Express Airbill and tracking confirmation recording delivery of the package were attached to the original petition. Accordingly, applicants respectfully request that the abandonment of this application be withdrawn and the declaration in satisfaction of the Notice of Missing Requirements mailed April 17, 2002 be accepted. Copies of all documents filed on November 18, 2002 are attached hereto.

Dr. Kodelja's last known address is:

Dr. Vitam Kodelja, Birkbuschstrasse 14, 12167 Berlin, Germany.

As Applicants previously filed authorization for all fees to be charged to Deposit Account No. 08-1641, and those fees were in fact charged to that account number on November 22, 2002, Applicants believe that no fee is now due. However, if there are any other fees due with the filing of these papers, please charge any and all such fees to Deposit Account No. 08-1641.

Respectfully submitted,  
HellerEhrman

Date: December 23, 2002

By: Brian D. Karch 51,117 for  
Paul M. Booth  
Registration No. 40,244

**Customer Number 26633**  
HELLER EHRMAN WHITE & McAULIFFE LLP  
1666 K Street, N.W., Suite 300  
Washington, DC 20006  
(202) 912-2000  
(202) 912-2020